

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-10, 12-15, 17-30 and 39-66 are pending in the application. Claims 1-10, 12-15, 17-30 and 39-40 are amended; Claims 41-66 are newly added; and Claims 11, 16 and 31-38 are canceled without prejudice or disclaimer by the present amendment. Support for the new and amended claims can be found in the original specification, claims, and drawings. No new matter is presented.

In the Office Action, Claim 16 was objected to because of a minor informality; Claims 22-30 were rejected under 35 U.S.C. § 101; Claims 1-3, 8, 12, 13, 18, 22, 23, 27, 31, 32, 34 and 38-40 were rejected under 35 U.S.C. § 102(b) as anticipated by Rose et al. (U.S. Patent No. 5,752,244, herein Rose); Claims 4 and 33 were rejected under 35 U.S.C. § 103(a) as unpatentable over Rose; and Claims 5-7, 9-11, 14-17, 19-21, 24-26, 28-30 and 35-37 were rejected under 35 U.S.C. § 103(a) as unpatentable over Rose in view of Takahashi (U.S. Patent No. 6,931,531).

Regarding the objection to Claim 16, this claim is canceled by the present amendment, thereby rendering this objection moot.

Claims 22-30 were rejected under 35 U.S.C. § 101, as directed to non-statutory subject matter. In response, the preambles of each of Claims 22-30 are amended to recite “computer-readable medium” instead of “program storage medium,” as recommended in the Office Action.

Accordingly, Applicants respectfully request that the rejection of Claims 22-30 under 35 U.S.C. § 101 be withdrawn.

Claims 1-3, 8, 12, 13, 18, 22, 23, 27, 31, 32, 34 and 38-40 were rejected under 35 U.S.C. § 102(b) as anticipated by Rose. In response to this rejection, Applicants respectfully

submit that amended independent Claims 1, 12, 22 and 31, and new Claim 41, recite novel features clearly not taught nor rendered obvious by the applied references.

Amended independent Claim 1 recites an information processing apparatus having a function to transfer content data to a device connected thereto, the information processing apparatus comprising:

storage means for storing the content data to a storage medium;  
setting means for setting whether the information processing  
apparatus ***automatically transfers content data stored in said storage  
medium to the device***; and  
transferring means for transferring the content data stored in the  
storage medium to the connected device ***automatically without regard to  
designation of content data based on a user input...***

Independent Claims 12, 22 and 31, and new independent Claim 41, while directed to alternative embodiments, recite similar features. Accordingly, the remarks and arguments below are applicable to each of independent Claims 1, 12, 22, 31 and 41.

As described in an exemplary embodiment at Fig. 16 and pp. 37-38 of the specification, the information processing apparatus may be set to automatically transfer data read from a CD without user designation when the read content is recorded into the content database.

Turning to the applied reference, Rose describes a computerized multimedia asset management system. In Rose's system, multimedia assets are checked-in to a computer system along with specified characteristics and identification information for the assets.<sup>1</sup> Checked-in multimedia assets are stored in a database on the storage device and previously checked-in multimedia assets may be searched based on one or more asset characteristics and asset identification information.<sup>2</sup> Multimedia assets are checked-out from the database by

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<sup>1</sup> Rose, Abstract.

<sup>2</sup> Id.

way of one of multiple transfer types and predetermined criteria are used to determine whether to allow transfer of a particular asset.<sup>3</sup>

Rose, however, fails to teach or suggest that the computer system may be set to ***“automatically transfer content data stored in a storage medium to a device and transfer the content data ... to the connected device automatically without regard to designation of content data based on a user input,”*** as recited in amended independent Claim 1.

More particularly, col. 22, l. 40 - col. 3, l. 10 of Rose describes a process of checking out assets in his system. The cited portion of Rose describes that the user can transfer one or more of the assets represented by an icon 162 in the search results area 160 of the interface shown in Fig. 17 by selecting the “transfer” button at the bottom of the browse dialog box 46. Thus, Rose describes that a user must specifically select assets that are to be “checked-out” in his system, and fails to teach or suggest that the assets are automatically transferred to a connected device after the asset data is stored in the system. More particularly, Rose fails to teach or suggest automatically transferring content data from an information processing apparatus to a device connected to the information processing apparatus after the data is stored in a storage medium of the information processing apparatus, as recited in the pending independent claims.

Therefore, Rose fails to teach or suggest an information processing apparatus that can be set such that the information processing apparatus ***“automatically transfers content data stored in said storage medium to the device”*** and that the information processing apparatus ***“transfers the content data stored in the storage medium to the connected device automatically without regard to designation of content data based on a user input,”*** as recited in amended independent Claim 1.

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<sup>3</sup> Id.

Accordingly, Applicants respectfully request that the rejection of Claim 1 (and the claims that depend therefrom) under 35 U.S.C. § 102 be withdrawn. For substantially similar reasons, it is also submitted that independent Claims 12, 22, 31 and 41 (and the claims that depend therefrom) patentably define over Rose.

The Office Action also rejected independent Claims 39-40 under 35 U.S.C. § 102(b) as anticipated by Rose, noting that these claims are “rejected for the same reason as discussed in the (sic) corresponding claim 1 above.” However, Applicants note that Claims 39 and 40 recite features, which are not similar to Claim 1, and which patentably define over Rose.

More particularly, independent Claim 39 recites an information processing method carried out in an information processor having a function to transfer contents to a device connected thereto, the method comprising:

controlling recording of the plurality of contents to a recording means; and

controlling, each time at least one of the contents is recorded at the recording controlling step in case the content has been recorded at the recording controlling step, ***transferring of the recorded content to the connected device while recording the other contents not yet recorded.***

Independent Claim 40, while directed to an alternative embodiment, recites similar features.

Rose fails to teach or suggest that content can be transferred while other content is currently being recorded by the information processor, as recited in independent Claims 39 and 40.

Accordingly, Applicants respectfully request that the rejection of Claims 39 and 40 under 35 U.S.C. § 102 be withdrawn.

With regard to the rejection of Claims 5-7, 9-11, 14-17, 19-21, 24-26, 28-30 and 35-37 under 35 U.S.C. § 103 as unpatentable over Rose in view of Takahashi, or in view of Rose singularly, Applicants respectfully submit that each of these claims depend from one of independent Claims 1, 12, 22 and 31 and are believed to be patentable for at least the reasons

discussed above. Further, Applicants respectfully submit that Takahashi fails to remedy any of the above-noted deficiencies of Rose.

Accordingly, Applicants respectfully request the rejection of Claims 4-7, 9-10, 14-15, 17, 19-21, 24-26, 28-30 and 35-37 under 35 U.S.C. § 103 be withdrawn.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-10, 12-15, 17-30 and 39-66 is patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

Respectfully submitted,

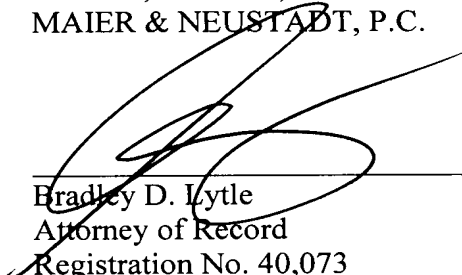
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